

REMARKS

Claims 1-7 remain in the application and claims 1 and 5 have been amended hereby. Claims 8 and 9 have been canceled, without prejudice or disclaimer.

Applicant respectfully requests clarification of the objection to the specification as not listing the claim for foreign priority in the first line.

Applicant respectfully submits that the Abstract submitted in the Preliminary Amendment filed March 28, 2003 does not exceed 150 words.

Reconsideration is respectfully requested of the rejection of claims 1-3 and 5-9 under 35 USC 102(b), as being anticipated by WO 97/14085 ("Reeder").

A feature of the present invention is a storage medium, e.g. a DVD, for storing a software program and an individual identification code for identifying the storage medium. See storage medium 4 in Fig. 2 showing the storage medium being purchased from a supplier. 5

Another feature of the present invention is a user terminal for installing the storage medium therein and for accessing the software program stored in the storage medium when a search of a remote database including usage limitations

is searched and authorization is provided. See user terminal 30 in Fig. 2 of the present application, for example.

Looking at Reeder we see that there is no storage medium including a software program and ID code installed in the user terminal, wherein the user terminal accesses the software program installed therein when a search of a remote database including usage limitations is searched and authorization is provided. Reeder merely permits a user (100 in Fig. 1) to download a program from a downloading source station (30 in Fig. 1) via a network (20 in Fig. 1).

Accordingly, it is respectfully submitted that amended independent claims 1 and 5, and the claims depending therefrom, are not anticipated by Reeder.

Reconsideration is respectfully requested of the rejection of claim 4 under 35 USC 103(a), as being unpatentable over Reeder in view of Oshima et al.

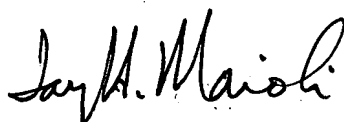
Claim 4 depends from claim 1 which for the reasons stated above is submitted to be patentably distinct over Reeder and, because there are no features in Oshima et al. that somehow could be combined with Reeder and result in the presently claimed invention, it is respectfully submitted that claim 4 is patentably distinct over Reeder in view of Oshima et al.

The prior art made of record and not relied upon has been reviewed and is not seen to show or suggest the present invention as recited in the amended claims.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Cooper & Dunham LLP

A handwritten signature in black ink, reading "Jay H. Maioli". The signature is written in a cursive, slightly slanted style.

Jay H. Maioli, Esq.  
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JHM/PCF:tb